

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

USPRO COATINGS & BUILDING
RESTORATION, INC.,

Plaintiff,

v.

DIG-HP CHERRY HILL OPERATING,
LLC *et al.*,

Defendant.

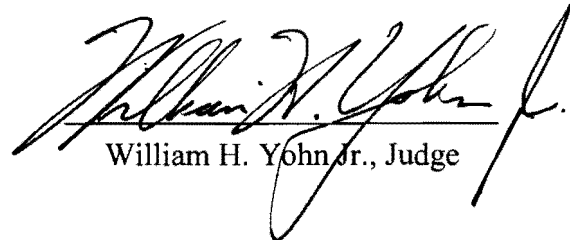
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CIVIL ACTION NO. 10-1715

ORDER

AND NOW, this 8 day of February, 2011, upon careful consideration of defendant Hirschfeld Properties' motion to dismiss the amended complaint (docket no. 10), plaintiff USPro's opposition thereto, and Hirschfeld Properties' reply, **IT IS HEREBY ORDERED** that the motion is **GRANTED IN PART AND DENIED IN PART** as follows:

1. The motion to dismiss counts I–IV of USPro's amended complaint is **DENIED**.
2. The motion to dismiss count V of USPro's amended complaint is **GRANTED**, and count V is **DISMISSED**.


William H. Yohn Jr., Judge